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addition, the Secretary may amend or revoke part 46 of title 22, Code of Federal Regulations, which concerns * persons other than citizens of the United States. In exercising these functions, the Secretary of State shall not issue, amend, or revoke any rules, regulations, or orders without first consulting with the Secretary of Homeland Security.

Sec. 3. *Judicial Review*. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

George W. Bush

The White House,
December 30, 2003.

[Filed with the Office of the Federal Register, 11:22 a.m., December 31, 2003]

NOTE: This Executive order was published in the *Federal Register* on January 2, 2004.

Memorandum on Designation of the Kingdom of Thailand as a Major Non-NATO Ally

December 30, 2003

Presidential Determination No. 2004–16

Memorandum for the Secretary of State

Subject: Designation of the Kingdom of Thailand as a Major Non-NATO Ally

Consistent with the authority vested in me, by section 517 of the Foreign Assistance Act of 1961, as amended (''the Act''), I hereby designate the Kingdom of Thailand as a Major Non-NATO Ally of the United States for the purposes of the Act and the Arms Export Control Act.

You are authorized and directed to publish this determination in the *Federal Register*.

George W. Bush

Memorandum Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

December 30, 2003

Presidential Determination No. 2004–17

Memorandum for the Secretary of State

Subject: Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the ''Act''), title II of Public Law 107–206 (22 U.S.C. 7421 *et seq.*), I hereby:

- Determine that Belize, Former Yugoslav Republic of Macedonia, Panama, and Fiji have each entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007(a) of the Act with respect to these countries for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress, and to arrange for its publication in the *Federal Register*.

George W. Bush

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* White House correction.